

## **BILL ANALYSIS**

C.S.H.B. 2095  
By: Wilson  
Natural Resources  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Concerns have been raised that water data collected by state agencies and universities is not adequately disseminated and that as a result there are missed opportunities to aggregate and analyze data. Subject matter experts suggest that having one entity coordinate and disseminate this information would be beneficial to the public. C.S.H.B. 2095 seeks to address this issue by requiring The University of Texas Bureau of Economic Geology to make certain studies of water, cooperate with certain entities, and ensure that applicable data and information is made available.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

C.S.H.B. 2095 amends the Water Code to require The University of Texas Bureau of Economic Geology, in coordination with the Texas Water Development Board (TWDB), to make studies of water, including surface water, groundwater, soil moisture, and atmospheric moisture, to improve on data gaps and on the processing, analysis, modeling, and integration of water-related data. The bill requires the bureau, in coordination with the TWDB, to work to enhance, advance, or integrate models characterizing the water resources of the state including:

- improving the techniques for multiscale modeling;
- expanding the use of artificial intelligence and machine learning techniques;
- integrating multiscale modeling and machine learning;
- creating interoperable, modular, or coupled modeling strategies;
- improving access to and methods for achieving high-performance computing; and
- improving access to open-source, community-supported modeling.

The bill requires the bureau to cooperate with the TWDB to ensure that the data and information compiled and produced under these provisions of the bill are made available through the statewide water resource data collection and dissemination network.

C.S.H.B. 2095 requires the bureau, in fulfilling its duties, to cooperate with the following state agencies, political subdivisions, and universities:

- the TWDB;
- the Texas Commission on Environmental Quality (TCEQ);
- the Edwards Aquifer Authority;
- river authorities;

- groundwater conservation districts;
- The University of Texas;
- Texas A&M University;
- Texas Tech University; and
- any other state agency or university with access to data related to surface water, groundwater, soil moisture, or atmospheric moisture.

The bill requires those agencies, political subdivisions, and universities to provide, on request and to the extent available, data to the bureau as necessary to fulfill the bill's requirements. The bill authorizes the bureau to coordinate with federal agencies or private entities as appropriate to fulfill the bill's requirements.

C.S.H.B. 2095 establishes that certain statutory provisions describing the powers, duties, and functions of the TWDB prevail over the bill's provisions to the extent of any conflict or inconsistency. The bill requires the bureau and the TWDB to enter into a memorandum of understanding to define their powers, duties, and functions related to the bill's provisions.

### **EFFECTIVE DATE**

September 1, 2021.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 2095 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute differs from the original by requiring the bureau, in coordination with the TWDB, to make studies of water, including surface water, groundwater, soil moisture, and atmospheric moisture, to improve on data gaps and on the processing, analysis, modeling, and integration of water-related data. The original required the bureau to collect monitoring data related to surface water and groundwater and the integration of surface water and groundwater and authorized the bureau to collect data related to soil or atmospheric moisture if appropriate.

The substitute differs from the original by requiring the bureau, in coordination with the TWDB, to work to enhance, advance, or integrate models characterizing the water resources of the state including:

- improving the techniques for multiscale modeling;
- expanding the use of artificial intelligence and machine learning techniques;
- integrating multiscale modeling and machine learning;
- creating interoperable, modular, or coupled modeling strategies;
- improving access to and methods for achieving high-performance computing; and
- improving access to open-source, community-supported modeling.

The original required the bureau to use collected data to create a system of comprehensive surface water and groundwater models, including models of the integration of surface water and groundwater.

The original authorized the bureau to cooperate with Texas A&M University, Texas Tech University, a state agency, or a private entity, whereas the substitute authorizes the bureau to coordinate with federal agencies or private entities and requires the bureau to cooperate with the following state agencies, political subdivisions, and universities:

- the TWDB;
- TCEQ;
- the Edwards Aquifer Authority;
- river authorities;
- groundwater conservation districts;

- The University of Texas;
- Texas A&M University;
- Texas Tech University; and
- any other state agency or university with access to data related to surface water, groundwater, soil moisture, or atmospheric moisture.

The substitute includes provisions absent from the original that do the following:

- require applicable state agencies, political subdivisions, and universities to provide, on request and to the extent available, data to the bureau as necessary to fulfill the bill's requirements;
- establish that certain statutory provisions describing the powers, duties, and functions of the TWDB prevail over the bill's provisions to the extent of any conflict or inconsistency; and
- require the bureau and the TWDB to enter into a memorandum of understanding to define their powers, duties, and functions related to the bill's provisions.

The substitute differs from the original by requiring the bureau to cooperate with the TWDB to ensure that applicable data and information are made available through the statewide water resource data collection and dissemination network. The original required the bureau to make the results of the monitoring and modeling available to state agencies and state institutions of higher education and exempted the applicable data and models from disclosure under state public information law.